

REMARKS

Claims 15, 16, 19-28 and 41 were rejected under 35 U.S.C. §102(b) as being anticipated by Miyauchi et al. (JP 59-215842). The examiner is requested to reconsider this rejection.

Embodiments of the invention provide a method and apparatus for In-mould Labelling. A label is clamped in a mould void by clamping ribs that extend into the mould void. The clamping ribs clamp the label at its perimeter. Clamping the label at its perimeter not only securely holds the label in the mould void, but the clamping ribs also provide the slots and grooves around the label in the molded product that the edges of the label are received within to provide a high quality finish.

In the office action, the Examiner indicates that claims 15, 16, 19-28 and 41 are rejected for novelty in view of newly cited JP 59-215842 (Miyauchi). The Examiner has indicated that independent claim 17 and dependent claim 18 are allowed and that claim 42 is objected to as being dependent upon a rejected base claim.

Miyauchi discloses an injection moulding method in which an insert is inserted into a metal mould assembly by providing a guide member having an aperture in which the insert is inserted. The insert and aperture have dimensions such that the insert is forcibly retained in the aperture to properly locate the insert for injection moulding. Displacement of the insert during injection moulding is prevented.

Miyauchi discloses that guide member 36 fixedly holds the insert 21 at its edge as the insert 21 is lowered into the mould 25. The insert 21 is held at its edge until it is in position in the mould 25. When the insert is in position in the mould 25, the guide member 36 no longer fixedly holds the insert 21. Once in the mould 25, the insert 21 is held in position by the shape of the fold 33 formed in the insert 21.

In Miyauchi, the guide member 36 does not extend into the mould void 34. There is no disclosure of any clamping means that extend into the mould void 34. Therefore, in Miyauchi, the insert is not clamped at its perimeter within the mould void 34. Miyauchi fails to disclose "a plurality of clamping members extending at least partially into the mould void for clamping a label at its perimeter within the mould void" as recited in claim 15. Therefore, independent claim 15 is novel over Miyauchi.

Independent claim 22 is novel for similar reasons to those set out above for independent claim 15. Claim 22 is further novel over Miyauchi because Miyauchi fails to disclose "clamping members that extend from the mould core".

Independent claim 41 is novel for similar reasons to those set out for claim 15. Claim 41 is further novel over Miyauchi because Miyauchi fails to disclose or suggest injection moulding apparatus with first and second mould voids. Miyauchi also fails to disclose or suggest placing a label so that it extends from a first mould void to a second mould void.

There would be no motivation for a person skilled in the art to modify Miyauchi to fall within the scope of the present invention because Miyauchi teaches that the insert 21 is held in the mould void 34 by its shape, not by clamping members that extend in to the mould void 34. There would be no motivation to modify Miyauchi to have clamping members that extend into the mould void, because Miyauchi relates to methods of forming cans. If a clamping member was inserted into the mould void, there would be gaps in the moulded product and the integrity of the can would be compromised.

There would be no motivation to modify Miyauchi to clamp an insert at its perimeter because in Miyauchi, the periphery of the insert is formed into a fold 33. The fold 33 is necessary so that the end of the can will join with the side walls of the can.

As there is nothing disclosed or suggested in Miyauchi that such modifications should be made, any modification of the prior art to fall within the scope of the claimed invention must be as a result of hindsight.

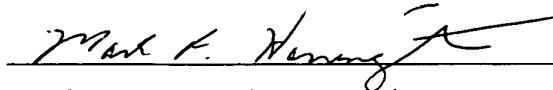
Therefore, embodiments of the invention as defined by the independent claims are non-obvious in view of Miyauchi.

Though the dependent claims contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable independent claims. However, to expedite prosecution at this time, no further comment will be made.

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Reply to Office Action of: 07/19/2006

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

Respectfully submitted,


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10/12/06
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